

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Oren Warshavsky  
Marc E. Hirschfield  
Nicholas J. Cremona  
Robertson D. Beckerlegge  
Lindsey A. Shoshany

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

TRUST FUND B U/W EDWARD F. SELIGMAN

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04885 (SMB)

F/B/O NANCY ATLAS and NANCY ATLAS, in  
her capacity as the Trustee and Beneficiary of the  
Trust Fund B U/W Edward F. Seligman F/B/O  
Nancy Atlas,

Defendants.

**TRUSTEE'S REQUEST TO ENTER DEFAULT**

To: CLERK OF THE COURT  
UNITED STATES BANKRUPTCY COURT

Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities, LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, respectfully requests that the Clerk of the Court issue a Certificate of Default against defendant Trust Fund B U/W Edward F. Seligman F/B/O Nancy Atlas, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, made applicable to this Adversary Proceeding by Rule 7055 of the Federal Rules of Bankruptcy Procedure, for failure to plead or otherwise defend the above-captioned action as it fully appears from the Court file and from the attached Affidavit.

**WHEREFORE**, the Trustee respectfully requests that this Court grant the Trustee's Request for Entry of a Certificate of Default.

Dated: New York, New York  
July 7, 2014

Respectfully submitted,

s/ Marc Hirschfield

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David J. Sheehan

Email: dsheehan@bakerlaw.com

Oren Warshavsky

Email: owarshavsky@bakerlaw.com

Marc E. Hirschfield

Email: mhirschfield@bakerlaw.com

Nicholas J. Cremona

Email: ncremona@bakerlaw.com

Robertson D. Beckerlegge

Email: rbeckerlegge@bakerlaw.com

Lindsey A. Shoshany

Email: lshoshany@bakerlaw.com

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4. On March 18, 2011, the Trustee, in accordance with Bankruptcy Rule 7004(b) of the Federal Rules of Bankruptcy Procedure, timely served the Summons and Complaint upon Defendants. (*See* Dkt. No. 4.) An Affidavit of Service evidencing proper and timely service was filed with the Court. (*See* Ex. A, Affidavit of Service; Dkt. No. 4.)

5. Pursuant to the Order (1) Establishing Litigation Case Management Procedures For Avoidance Actions And (2) Amending The February 16, 2010 Protective Order governing the litigation of certain avoidance actions, including this adversary proceeding, the time by which Defendants may answer or otherwise move with respect to the Complaint expired May 17, 2011. (*See* Dkt. No. 3.)

6. Despite being duly served with the Summons and Complaint, Defendants did not file an answer, move, or otherwise respond to the Complaint on or before May 17, 2011.

7. Defendant Trust Fund B U/W Edward F. Seligman F/B/O Nancy Atlas is a business entity and therefore is neither an infant nor incompetent.

8. Moreover, because the Defendant is a business entity, the protections afforded under the Servicemember's Civil Relief Act of 2003 should not apply.

9. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

/s/ Robertson D. Beckerlegge  
Robertson D. Beckerlegge

Sworn to before me this  
1<sup>st</sup> day of July 2014

/s/ Dawn Van Dyke  
Notary Public  
Dawn Van Dyke  
Notary Public, No. 01VA6154528  
Qualified in New York County  
Commission Expires 10/23/2014